



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

September 25, 1996

Mr. Edmond R. McCarthy, Jr.
McGinnis, Lochridge & Kilgore, L.L.P.
1300 Capitol Center
919 Congress Avenue
Austin, Texas 78701

OR96-1762

Dear Mr. McCarthy:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 101070.

The Upper Guadalupe River Authority ("UGRA"), which you represent, received a request for minutes of UGRA board meetings in which specific topics were discussed. Some of the requested information consists of the certified agendas of executive sessions. You ask whether the UGRA has "lawful authority" to release certified agendas to the requestor.¹

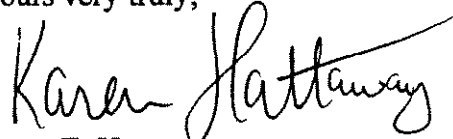
Section 552.101 of the Government Code excepts from disclosure information deemed confidential by law. Section 551.104(c) of the Government Code provides that "[t]he certified agenda or tape of a closed meeting is available for public inspection and copying only under a court order issued under Subsection (b)(3)." Section 551.104(c) deems the certified agenda of an executive session confidential. *See* Open Records Decision No. 495 (1988). Thus, the requested agendas are excepted from disclosure under section 552.101 of the Government Code as information made confidential by law.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented

¹Although you invoked several exceptions to disclosure for other information, you did not provide us with copies of this other information or written comments explaining why the exceptions you raised would protect this other information from disclosure. We, therefore, assume that you have released to the requestor all responsive information except the certified agendas.

to us in this request and should not be relied upon as a previous determination regarding any other records. If you have any questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, reading "Karen Hattaway". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ch

Ref: ID# 101070

Enclosures: Submitted documents

cc: Mr. Mark Loyd
Staff Writer
Kerrville Daily Times
429 Jefferson
Kerrville, Texas 78028
(w/o enclosures)